

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

EDWARD DUCHENEAUX and MAE
KELLER, as Co-Personal
Representatives of the ESTATE OF
PAUL DUCHENEAUX, DECEASED,

Plaintiff,

vs.

LOWER YELLOWSTONE RURAL
ELECTRIC ASSOCIATION, INC., a
Montana Corporation d/b/a Lower
Yellowstone Rural Electric
Cooperative, et al.,

Defendants.

CV 19-6-BLG-SPW-TJC

ORDER

Defendant Elliot Equipment Company (“Elliot”) has filed a Motion for Partial Summary Judgment. (Doc. 89.) Plaintiffs subsequently withdrew their objections to Elliot’s motion, and consented to the dismissal of their failure to warn claims against Elliott. (Doc. 99.) Accordingly, Elliot’s motion being unopposed, IT IS HEREBY ORDERED that Elliot’s Motion for Partial Summary Judgment is GRANTED. Plaintiffs’ failure to warn claims alleged at ¶ 34(g) and ¶ 43 of the Amended Complaint are DISMISSED.

DATED this 12th day of November, 2020.



TIMOTHY J. CAVAN
United States Magistrate Judge